

**UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

COMPLAINT

CHERYLE PATTERSON (“Plaintiff”), by and through her attorneys, Kimmel & Silverman, P.C., alleges the following against DIVERSIFIED CONSULTANTS, INC. (“Defendant”):

INTRODUCTION

1. Plaintiff's Complaint is based on Defendant's repeated violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* ("FDCPA").

JURISDICTION AND VENUE

2. This Court's jurisdiction arises under 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy," and 28 U.S.C. § 1331, which grants this Court original jurisdiction of all civil actions arising under the laws of the United States.

3. Defendant regularly conducts business in the State of Pennsylvania, therefore personal jurisdiction is established.

4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2).

PARTIES

5. Plaintiff is a natural person residing in Philadelphia, Pennsylvania
19140.

6. Plaintiff is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3).

7. Defendant is a corporation with its principal place of business located at 10550 Deerwood Park Blvd., Ste. 309, Jacksonville, FL 32256.

8. Defendant is a “debt collector” as that term is defined by 15 U.S.C. §1692 a(6), and sought to collect a debt from Plaintiff.

9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

FACTUAL ALLEGATIONS

10. Defendant placed repeated and continuous calls to Plaintiff regarding an alleged debt that was incurred primarily for personal, family or household purposes.

11. Soon after the calls began Plaintiff informed Defendant that she did not wish to receive such calls any longer and thereby demanded that Defendant stop calling her cellular telephone regarding the alleged debt.

12. Once Defendant was aware that its calls were unwanted, its continued calls could have served no lawful purpose other than harassment.

13. However, Defendant ignored Plaintiff's request to cease calling and continued to call her, knowing the calls were unwanted.

COUNT I

14. A debt collector violates §1692d by engaging in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt.

15. A debt collector violates §1692d(5) by causing a telephone to ring or engaging any person in telephone conversation repeatedly or continuously with intent to annoy, abuse, or harass any person at the called number.

16. Defendant violated these sections when it placed repeated and continuous harassing telephone calls to Plaintiff within the one year period preceding the filing of this Complaint knowing at all times that its calls were unwanted.

1 WHEREFORE, Plaintiff, CHERYLE PATTERSON, respectfully prays for
2 judgment as follows:

3 a. All actual damages suffered pursuant to 15 U.S.C. §
4 1692k(a)(1);
5 b. Statutory damages of \$1,000.00 for the violation of the
6 FDCPA pursuant to 15 U.S.C. § 1692k(a)(2)(A);
7 c. All reasonable attorneys' fees, witness fees, court costs
8 and other litigation costs, pursuant to 15 U.S.C. § 1693k(a)(3);
9 d. All actual damages suffered pursuant to 47 U.S.C.
10 § 227(b)(3)(A); and
11 e. Any other relief deemed fair and proper by this
12 Honorable Court.

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15 **DEMAND FOR JURY TRIAL**

16 PLEASE TAKE NOTICE that Plaintiff, CHERYLE PATTERSON,
17 demands a jury trial in this case.
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Respectfully submitted,

Dated: May 24, 2019

/s/ Amy L. B. Ginsburg
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